

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICKY SIMMONDS,

Defendant.

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CASE NO. 1:20-cr-00707

ORDER

[Resolving Docs. 359 & 367]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

Federal inmate Ricky Simmonds files two postconviction motions. Neither succeeds.

First, Simmonds asks the Court to modify or defer fines and a special assessment, totaling \$12,700, Simmonds owes the government. After Simmonds refused to make a \$150 monthly installment payment, the BOP imposed sanctions, including restricting Simmonds's spending and garnishing any Simmonds account deposits.

The Probation Office says that Simmonds and the government have since renegotiated a \$50-per-month automatic-deduction payment plan, which removes the payment-refusal sanctions.¹ In light of this new payment plan, the Court **DENIES** Simmonds's motion to defer or modify the fines and assessment.

Second, Simmonds asks for an order transferring custody of seized ammunition so that the ammunition can be sold and the proceeds credited against Simmonds's debt. But Simmonds already forfeited the ammunition to the United States.² Because Simmonds no longer has any property interest in the ammunition, the Court **DENIES** the transfer motion.

¹ Doc. 360.

² Doc. 342.

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GWIN, J.

IT IS SO ORDERED.

Dated: August 2, 2023

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE